

**THURSDAY, FEBRUARY 6, 2003**

**FOURTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Wilder.

**PRAYER**

The proceedings were opened with prayer by Pastor Dave Deerman of the Dickson First Assembly of God in Dickson, Tennessee, a guest of Senator Jackson.

**PLEDGE OF ALLEGIANCE**

Senator Jackson led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 31

Senators present were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

**COMMUNICATION**

January 31, 2003

The Honorable John S. Wilder  
Lieutenant Governor  
State of Tennessee  
1 Legislative Plaza  
Nashville, TN 37243-0226

Dear John:

I would greatly appreciate your approval for my absence from the Senate Chamber and session on Thursday, February 6, 2003, due to a family medical procedure.

Thank you for your consideration of this urgent request.

Sincerely,

/s/ Ben Atchley

APPROVED: Lieutenant Governor  
John S. Wilder

**PRESENTATION**

Senator Herron presented **Senate Joint Resolution No. 24** to Alma and Billy Ford.

**MOTION**

Senator Herron moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 24**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**Senate Joint Resolution No. 24** -- Memorials, Retirement -- Alma and Billy Ford.

On motion of Senator Herron, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 24** was adopted by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

**INTRODUCTION OF BILLS**

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 182** by Senator Fowler.

Fiscal Review Committee -- Revises duties of fiscal review committee and director of fiscal review committee involving compromise and settlement of civil litigation where there is substantial likelihood that adjudication will result in significant increase in state expenditures. Amends TCA Title 3, Chapter 7 and Title 20, Chapter 13.

**Senate Bill No. 183** by Senator Graves.

Military -- Authorizes adjutant general to provide military funeral honors to deceased governors and veterans if funds are available. Amends TCA Title 58, Chapter 1, Part 1.

**Senate Bill No. 184** by Senator Graves.

Scholarships and Financial Aid -- Enacts "Tennessee National Guard Tuition Assistance Act". Amends TCA Title 49, Chapter 4 and Title 58, Chapter 1.

**Senate Bill No. 185** by Senators Graves and McNally.

Education, Higher -- Requires incoming students at public and private institutions of higher learning who live in on-campus housing to be vaccinated against meningococcal disease or to sign waiver. Amends TCA Title 49.

**Senate Bill No. 186** by Senator Ford.

Mental Retardation -- Sets principles for services to Tennesseans with developmental disabilities and sets specific requirements for providing services to individuals with disabilities and their families through 2008. Amends TCA Title 33.

**Senate Bill No. 187** by Senator Crowe.

Medical Occupations -- Permits physical therapists and physical therapist assistants licensed in other jurisdictions temporarily performing physical therapy with visiting athletic teams and similar entities to be exempt from Tennessee licensing. Amends TCA Title 63, Chapter 13.

**Senate Bill No. 188** by Senator Haynes.

Professions and Occupations -- Requires alarm system contractor employees who install, sell or repair systems to take and pass National Burglar and Fire Alarm Association Level 1 or equivalent training; current employees must meet requirements within two years of effective date; new employees after effective date must complete training within one year of employment; includes those installing closed circuit television systems. Amends TCA Title 62.

**Senate Bill No. 189** by Senator Haynes.

Professions and Occupations -- Removes private protective service contractors from general contractor law when such private protective service providers are performing functions for which such entities are certified. Amends TCA Title 62, Chapter 6.

**Senate Bill No. 190** by Senator Haynes.

Professions and Occupations -- Requires alarm system contractor employees who install, sell or repair systems to take and pass National Burglar and Fire Alarm Association Level 1 or equivalent training; current employees must meet requirements within two years of effective date; new employees after effective date must complete training within one year of employment; includes those installing closed circuit television systems. Amends TCA Title 62.

**Senate Bill No. 191** by Senator Trail.

Workers' Compensation -- Changes reference to county executive's opinion concerning whether injured worker is justified in not returning to work to opinion of court with jurisdiction. Amends TCA Section 50-6-207.

**Senate Bill No. 192** by Senator Fowler.

General Assembly -- Requires LIS to develop system of posting floor and committee roll call votes on Internet; requires final action of committees of General Assembly be by roll call vote; requires that all meetings of General Assembly and committees be open meetings. Amends TCA Title 3, Chapter 16, Part 1; Title 3, Chapter 2, Part 1 and Section 8-44-102.

**Senate Bill No. 193** by Senator Fowler.

General Assembly -- Requires LIS to develop system of posting floor and committee roll call votes on Internet; requires final actions of committees be taken by roll call vote; requires that all meetings of General Assembly and committees be open meetings; requires registry of election finance to post campaign financial disclosure forms on Internet. Amends TCA Title 2, Chapter 10, Part 2; Title 3, Chapter 16, Part 1; Title 3, Chapter 2, Part 1 and Section 8-44-102.

**Senate Bill No. 194** by Senator Graves.

Board of Regents -- Appoints Dr. Hal Ramer to state board of regents for six-year term. Amends TCA Section 49-8-201.

## THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY

### **Senate Bill No. 195** by Senator Atchley.

Annexation -- Establishes certain procedures for determining amount of compensation to be paid when annexing municipality elects to be exclusive provider of utility services within territory previously served by utility district or other public service district. Amends TCA Section 6-51-111.

### **Senate Bill No. 196** by Senators Henry and Atchley.

Health Care -- Revises legislative findings for long-term care services plan; makes other changes on time certain reports must be made prior to filing waiver and setting individual expenditure limit within waiver. Amends TCA Title 71, Chapter 5, Part 14.

### **Senate Bill No. 197** by Senator Ramsey.

Bluff City -- Subject to local approval, revises terms of office for mayor and aldermen. Amends Chapter 24 of the Private Acts of 1997.

### **Senate Bill No. 198** by Senator Ramsey.

Alcoholic Beverages -- Authorizes counties that have municipality that has approved liquor by drink to opt out by resolution from extended hours of sale. Amends TCA Section 57-4-203.

### **Senate Bill No. 199** by Senator Ramsey.

Fiscal Review Committee -- Requires business impact note on general bills upon request of two members of General Assembly. Amends TCA Title 3, Chapter 2.

### **Senate Bill No. 200** by Senator Ramsey.

Employees, Employers -- Prohibits local governments from requiring private employer to pay its employees any wage not required to be paid to such employee under state or federal law. Amends TCA Title 50, Chapter 2, Part 1.

### **Senate Bill No. 201** by Senator Ramsey.

Hazardous Materials -- Removes from definition of "liable party" under Tennessee Hazardous Waste Management Act person who would not be liable under federal Superfund Recycling Equity Act. Amends TCA Section 68-212-202.

### **Senate Bill No. 202** by Senator Ramsey.

Wildlife Resources Commission -- Rewrites residency requirements and fee schedule for lifetime sportsman license. Amends TCA Section 70-2-201(g)(2) and (g)(3).

### **Senate Bill No. 203** by Senator Dixon.

Consumer Protection -- Enacts "Tennessee Predatory Lending Prevention Act". Amends TCA Title 45 and Title 47.

### **Senate Bill No. 204** by Senator Dixon.

Employees, Employers -- Enacts "Public Employee's Medical Bill of Rights Act". Amends TCA Title 8, Chapter 50.

### **Senate Bill No. 205** by Senator Dixon.

Election Laws -- Enacts "Tennessee Election Day Registration Act". Amends TCA Title 2, Chapter 2 and Title 2, Chapter 7.

## THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY

### **Senate Bill No. 206** by Senator Dixon.

Employees, Employers -- Requires temporary agencies to pay employees or clients fairly; encourages Department of Labor and Workforce Development to establish guidelines and wage minimums for job classifications. Amends TCA Title 47, Chapter 18, Part 17.

### **Senate Bill No. 207** by Senator Dixon.

Employees, Employers -- Prohibits employer from charging check cashing fee for cashing payroll check for employee issued by such employer. Amends TCA Title 50, Chapter 2, Part 1.

### **Senate Bill No. 208** by Senator Dixon.

Telecommunications -- Prohibits mobile telephone usage by motor vehicle operator while vehicle is in motion unless operator maintains both hands on vehicle's steering device; imposes no criminal sanction for violations; however, rebuttable presumption of negligence is established if accident occurs while operator is in violation of such prohibition. Amends TCA Title 55, Chapter 8, Part 1.

### **Senate Bill No. 209** by Senator Dixon.

General Assembly -- Requires performance of independent disparity study of legislative department to determine extent, if any, to which departmental practices and policies discriminate against employees based on race, ethnicity, gender or age.

### **Senate Bill No. 210** by Senator Dixon.

Capital Punishment -- Creates special committee composed of 15 members to study capital punishment in Tennessee and make recommendations, by July 1, 2005, designed to ensure that capital punishment is free from bias and error in its application and administration.

### **Senate Bill No. 211** by Senator Dixon.

Housing -- Allows local government to enforce fair housing ordinance in circuit court of county where violation occurred. Amends TCA Title 4, Chapter 21, Part 6.

### **Senate Bill No. 212** by Senators Person, McNally, Miller, Beavers, Bryson and Ketron.

Budget Procedures -- Requires two-thirds vote of each house of General Assembly for appropriations of state tax revenue to exceed rate of growth of state's economy as measured by personal income. Amends TCA Title 9, Chapter 4, Part 52.

### **Senate Bill No. 213** by Senator Person.

Telecommunications -- Increases penalties for existing offenses and creates new offenses relative to theft of electronic communications devices and data. Amends TCA Title 39, Chapter 14, Part 1.

### **Senate Bill No. 214** by Senators Person and McNally.

Health Care -- Increases revenues earmarked and paid into traumatic brain injury fund administered by Department of Health. Amends TCA Title 68, Chapter 55, Part 3.

### **Senate Bill No. 215** by Senator Person.

Courts, Juvenile -- Specifies that juvenile court is to retain jurisdiction over placement of child including, but not limited to, foster care, residential, treatment, or program placements of child. Amends TCA Title 37, Chapter 1.

### **Senate Bill No. 216** by Senator Person.

Traffic Safety -- Enacts "Peter and Eugenia Campochiaro Highway Safety Act". Amends TCA Title 55, Chapter 8, Part 1.

## **THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

### **Senate Bill No. 217** by Senator Person.

Sentencing -- Establishes as new aggravating factor whether defendant committed murder after having been enjoined by court order from causing or attempting to cause bodily injury or assault against victim. Amends TCA Title 39, Chapter 13, Part 2.

### **Senate Bill No. 218** by Senators Person and McNally.

Criminal Offenses -- Creates Class D felony of tampering with public utility with intent to harm another and Class E felony of attempting or threatening to tamper with public utility. Amends TCA Title 39, Chapter 14, Part 4.

### **Senate Bill No. 219** by Senator Person.

Radio and Television -- Increases civil penalties to aggrieved cable television company for theft of cable service from \$1,000 to \$5,000 for first violation and from \$2,000 to \$10,000 for second or subsequent violations. Amends TCA Title 7, Chapter 59.

### **Senate Bill No. 220** by Senator Person.

Sunset Laws -- Board of dispensing opticians, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 14.

### **Senate Bill No. 221** by Senator Person.

Paternity -- Deletes current Shelby County exemption from requirement that birthing institution, which receives voluntary acknowledgement of paternity, must forward copy of such acknowledgement to local Title IV-D child support office where mother resides if mother is receiving temporary public assistance. Amends TCA Section 68-3-302.

### **Senate Bill No. 222** by Senator Person.

Hospitals and Health Care Facilities -- Prohibits surveyors who were terminated from nursing home to participate in survey of such nursing home or nursing home owned by company which owned such nursing home; requires disclosure of previous employment with nursing home before working as surveyor for department. Amends TCA Title 68, Chapter 11.

### **Senate Bill No. 223** by Senator Person.

Hospitals and Health Care Facilities -- Authorizes criminal background checks of direct care employees of certain health care facilities. Amends TCA Title 68, Chapter 11.

### **Senate Bill No. 224** by Senator Person.

Hospitals and Health Care Facilities -- Extends expiration date of nursing home tax to June 30, 2005. Amends TCA Title 68, Chapter 11, Part 2.

### **Senate Bill No. 225** by Senator Person.

Education -- Allocates, in Shelby County, funds from bond issues for capital expenditures to school district in which facility to be funded is located. Amends TCA Title 49, Chapter 3.

### **Senate Bill No. 226** by Senator Person.

Hospitals and Health Care Facilities -- Revises fee for certain home care organizations and redefines "personal support services". Amends TCA Title 33 and Title 68.

### **Senate Bill No. 227** by Senator Person.

Teachers, Principals and School Personnel -- Allows children under 24 years old whose parent is employed as teacher's aide at least 25 hours per week in any public school to receive 25 percent

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

discount on tuition in any state operated institution of higher learning. Amends TCA Title 49, Chapter 7, Part 1.

**Senate Bill No. 228** by Senators Cohen, Crutchfield, Cooper and Miller.

Criminal Offenses -- Exempts transportation of devices associated with state lottery and annual charitable events pursuant to federal law. Amends TCA Title 4; Title 33; Title 38; Title 39; Title 48; Title 49; Title 67 and Title 68.

**Senate Bill No. 229** by Senators Cohen, Crutchfield, Cooper and Miller.

Lottery -- Requires net lottery proceeds to be used to supplement, not supplant, existing resources for educational programs and purposes as set out in constitution. Amends TCA Title 4; Title 33; Title 38; Title 39; Title 48; Title 49; Title 67 and Title 68.

**Senate Bill No. 230** by Senators Person, Cohen and Miller.

Constitutional Conventions -- Submits to voters question of whether limited constitutional convention should be held to consider changes to Article II, Sections 24, 28, 29, and 30 with respect to state, county and municipal taxation and expenditures; provides for such limited convention if called by voters.

**Senate Bill No. 231** by Senator Miller.

Alcoholic Offenses -- Clarifies that discretionary provisions of ignition interlock device law do not apply to persons convicted of DUI after October 1, 2002, who have prior DUI conviction within past five years. Amends TCA Title 39, Chapter 13, Part 1; Title 39, Chapter 13, Part 2 and Title 55, Chapter 10, Part 4.

**Senate Bill No. 232** by Senator Miller.

Local Education Agency -- Allows county commissions to create elected office of director of schools to be filled at regular August election. Amends TCA Section 49-2-203 and Title 49, Chapter 2, Part 3.

**Senate Bill No. 233** by Senator Miller.

Railroads -- Clarifies that requirement to carry engineer's operator permit while operating locomotive is in compliance with applicable federal requirements. Amends TCA Title 65, Chapter 12.

**Senate Bill No. 234** by Senator Miller.

Sentencing -- Increases penalty for offense of rape of child from Class A felony to life imprisonment without possibility of parole. Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 35, Part 5.

**Senate Bill No. 235** by Senator Miller.

Criminal Offenses -- Creates Class A felony to sell or possess with intent to sell 100 grams or more of any substance containing MDA or MDMA; creates Class B felony to sell or possess with intent to sell 25 grams or more of any substance containing MDA or MDMA. Amends TCA Title 39, Chapter 17.

**Senate Bill No. 236** by Senator Miller.

Special License Plates -- Authorizes issuance of "Supporters of the Traditional Music Center" new specialty earmarked license plates; authorizes multiple designs after initial issuance; allocates 50 percent of funds produced from sale thereof to traditional music center. Amends TCA Title 55, Chapter 4.

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**Senate Bill No. 237** by Senator Miller.

Game and Fish Laws -- Allows transporting of uncased hunting firearm or crossbow in or on wheeled vehicle on Wildlife Management Areas and Public Hunting Areas. Amends TCA Title 70, Chapter 4.

**Senate Bill No. 238** by Senator Miller.

Transportation, Dept. of -- Authorizes department to study feasibility of conversion and reconstruction of US 64 in Polk County into four-lane toll road; requires contact with USDOT and reporting to transportation committees. Amends TCA Title 4, Chapter 3, Part 23 and Title 54.

**Senate Bill No. 239** by Senator Miller.

Game and Fish Laws -- Allows deer hunting with buckshot in Polk County. Amends TCA Title 70, Chapter 4, Part 1.

**Senate Bill No. 240** by Senator Miller.

Polk County -- Authorizes deer hunters in Polk County to use buckshot.

**Senate Bill No. 241** by Senator Miller.

Polk County -- Subject to local approval, authorizes Polk County to have hunting season as liberal as any other hunting season in Tennessee.

**Senate Bill No. 242** by Senator Miller.

Game and Fish Laws -- Makes hunting season in Polk County as liberal as hunting season in any other Tennessee county. Amends TCA Title 70, Chapter 4, Part 1.

**Senate Bill No. 243** by Senator Miller.

Child Custody and Support -- Prohibits Department of Human Services from hearing petitions to modify child support order. Amends TCA Title 36; Title 37; and Title 71.

**Senate Bill No. 244** by Senator Miller.

Pensions and Retirement Benefits -- Provides for 5 percent adjustment for retired teachers. Amends TCA Section 8-36-124.

**Senate Bill No. 245** by Senator Miller.

Education -- Provides that TCAR tests shall be conducted during last three weeks of school term on date or dates established by local board of education. Amends TCA Title 49, Chapter 6, Part 60.

**Senate Bill No. 246** by Senator Miller.

Taxes, Income -- Subjects lottery winnings in excess of \$100,000 to Halls income tax. Amends TCA Title 67, Chapter 2.

**Senate Bill No. 247** by Senator Miller.

Teachers, Principals and School Personnel -- Allows certain persons to take free courses in areas of teaching and nursing need at public institutions of higher education. Amends TCA Title 49, Chapter 7, Part 1.

**Senate Bill No. 248** by Senator Cooper.

Hospitals and Health Care Facilities -- Increases nursing home bed tax from \$2,225 to \$2,600 per licensed bed per year and extends expiration date of tax to June 30, 2005. Amends TCA Title 68, Chapter 11, Part 2.



**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**Senate Bill No. 249** by Senator Cooper.

Hospitals and Health Care Facilities -- Extends limit on certificates of need for Medicare skilled nursing facility beds to 125 per year through June 30, 2005. Amends TCA Title 68, Chapter 11, Part 16.

**Senate Bill No. 250** by Senator Cooper.

Public Records -- Makes public record all records, employment applications, credentials and similar documents held by association of elected government officials that is assisting governing body in filling personnel vacancy. Amends TCA Title 10, Chapter 7.

**Senate Bill No. 251** by Senator Cooper.

Insurance, Health, Accident -- Provides for insurance for non-certified employees of local education agencies. Amends TCA Title 8, Chapter 27, Part 3.

**Senate Bill No. 252** by Senator Cooper.

Pensions and Retirement Benefits -- Provides for increased benefits for certain retirees if excess contributions for Tennessee consolidated retirement system are available to fund such increases. Amends TCA Section 8-36-124 and Title 8, Chapter 36, Part 7.

**Senate Bill No. 253** by Senator Cooper.

Education, Higher -- Allows children, up to age 24, of retired teachers to receive 25 percent higher education tuition discount. Amends TCA Title 49, Chapter 7.

**Senate Bill No. 254** by Senator Cooper.

Transportation, Dept. of -- Revises circumstances under which department must reimburse utility for relocation resulting from construction on highways. Amends TCA Section 54-5-804.

**Senate Bill No. 255** by Senator Cooper.

Law Enforcement -- Requires state highway patrol to investigate and write accident report for accidents involving local law enforcement vehicles. Amends TCA Title 55, Chapter 10, Part 1.

**Senate Bill No. 256** by Senator Cooper.

Hospitals and Health Care Facilities -- Removes 668 bed limit on licensed ICF-MR beds and excludes community based ICF-MR settings of four or fewer beds from certificate of need process. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5.

**Senate Bill No. 257** by Senator Cooper.

Taxes, Personal Property -- Changes assessment and taxation of leased personal property from lessees to lessors. Amends TCA Title 67.

**Senate Bill No. 258** by Senators Williams and Crowe.

Taxes, Gasoline, Petroleum Products -- Extends period of time from 30 days to 30 business days for county legislative body to act on resolution or ordinance to levy one cent local gasoline tax following filing of petition with county legislative body to levy such tax. Amends TCA Title 67, Chapter 3.

**Senate Bill No. 259** by Senator Trail.

Teachers, Principals and School Personnel -- Allows retired teachers to be rehired immediately. Amends TCA Section 8-36-821.

## **THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

### **Senate Bill No. 260** by Senator Ford.

Teachers, Principals and School Personnel -- Requires binding arbitration to resolve disputes in teachers' professional agreements with LEAs. Amends TCA Section 49-5-612.

### **Senate Bill No. 261** by Senator Ford.

Psychologists -- Authorizes certain psychologists to prescribe drugs. Amends TCA Title 39; Title 53 and Title 63.

### **Senate Bill No. 262** by Senator Ford.

Tort Liability -- Revises definition of governmental entity under Governmental Tort Liability Act to include certain non-profit public benefit corporation operating hospital in certain county. Amends TCA Section 29-20-102.

### **Senate Bill No. 263** by Senator Ford.

Hospitals and Health Care Facilities -- Requires Department of Health to establish data collection system on sepsis. Amends TCA Title 49, Title 63 and Title 68.

## **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

**Senate Bill No. 111** -- Caption Bill -- held on desk pending filing of amendment.

**Senate Bill No. 112** -- Caption Bill -- held on desk pending filing of amendment.

**Senate Bill No. 113** referred to Committee on Judiciary.

**Senate Bill No. 114** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 115** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 116** referred to Committee on Education.

**Senate Bill No. 117** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 118** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 119** referred to Committee on Environment, Conservation and Tourism.

**Senate Bill No. 120** referred to Committee on State and Local Government.

**Senate Bill No. 121** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 122** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 123** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 124** referred to Committee on State and Local Government.

**Senate Bill No. 125** referred to Committee on State and Local Government.

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**Senate Bill No. 126** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 127** referred to Committee on Education.

**Senate Bill No. 128** referred to Committee on Judiciary.

**Senate Bill No. 129** -- Caption Bill -- held on desk pending filing of amendment.

**Senate Bill No. 130** -- Caption Bill -- held on desk pending filing of amendment.

**Senate Bill No. 131** -- Caption Bill -- held on desk pending filing of amendment.

**Senate Bill No. 132** referred to Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 133** referred to Committee on Transportation.

**Senate Bill No. 134** referred to Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 135** referred to Committee on Judiciary.

**Senate Bill No. 136** referred to Committee on Education.

**Senate Bill No. 137** referred to Committee on Education.

**Senate Bill No. 138** referred to Committee on Transportation.

**Senate Bill No. 139** referred to Committee on Transportation.

**Senate Bill No. 140** referred to Committee on Transportation.

**Senate Bill No. 141** referred to Committee on Environment, Conservation and Tourism.

**Senate Bill No. 142** referred to Committee on State and Local Government.

**Senate Bill No. 143** referred to Committee on Transportation.

**Senate Bill No. 144** referred to Committee on Education.

**Senate Bill No. 145** referred to Committee on Finance, Ways and Means.

**Senate Bill No. 146** referred to Committee on Education.

**Senate Bill No. 147** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 148** referred to Committee on Environment, Conservation and Tourism.

**Senate Bill No. 149** referred to Committee on Government Operations.

**Senate Bill No. 150** referred to Committee on Commerce, Labor and Agriculture.

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**Senate Bill No. 151** referred to Committee on Education.

**Senate Bill No. 152** referred to Committee on Education.

**Senate Bill No. 153** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 154** referred to Committee on Education.

**Senate Bill No. 155** referred to Committee on Judiciary.

**Senate Bill No. 156** referred to Committee on State and Local Government.

**Senate Bill No. 157** referred to Committee on State and Local Government.

**Senate Bill No. 158** referred to Committee on Judiciary.

**Senate Bill No. 159** referred to Committee on Judiciary.

**Senate Bill No. 160** referred to Committee on Judiciary.

**Senate Bill No. 161** referred to Committee on Education.

**Senate Bill No. 162** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 163** referred to Committee on State and Local Government.

**Senate Bill No. 164** referred to Committee on State and Local Government.

**Senate Bill No. 165** referred to Committee on Education.

**Senate Bill No. 166** referred to Committee on Education.

**Senate Bill No. 167** referred to Committee on Transportation.

**Senate Bill No. 168** referred to Committee on Transportation.

**Senate Bill No. 169** referred to Committee on Transportation.

**Senate Bill No. 170** referred to Committee on State and Local Government.

**Senate Bill No. 171** referred to Committee on State and Local Government.

**Senate Bill No. 172** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 173** referred to Committee on State and Local Government.

**Senate Bill No. 174** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 175** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 176** referred to Committee on Transportation.

**Senate Bill No. 177** referred to Committee on Education.

**Senate Bill No. 178** referred to Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 179** referred to Committee on Education.

**Senate Bill No. 180** referred to Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 181** referred to Committee on Commerce, Labor and Agriculture.

### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 47** by Senator Henry.  
Memorials, Retirement -- Dr. Martin O. Deschenes.

**Senate Joint Resolution No. 48** by Senator Herron.  
Memorials, Death -- Ben Marlin Gaines, Sr.

**Senate Joint Resolution No. 49** by Senator Henry.  
Memorials, Sports -- David Lipscomb High School football team, 2002 TSSAA Class 2A champions.

**Senate Joint Resolution No. 50** by Senator Ramsey.  
General Assembly, Studies -- Continues special joint committee to study restructuring of electric utility industry.

**Senate Joint Resolution No. 51** by Senators Person and Atchley.  
Memorials, Death -- Foster D. Arnett, Sr.

**Senate Joint Resolution No. 52** by Senator Miller.  
Attorney General and Reporter -- Requires election of attorney general by popular vote.

**Senate Joint Resolution No. 53** by Senator Miller.  
Memorials, Professional Achievement -- Quinten Howard, Master School Board Member.

**Senate Joint Resolution No. 54** by Senator Miller.  
Memorials, Professional Achievement -- W. David Sullins, Jr., Southern College of Optometry Lifetime Achievement Award.

**Senate Joint Resolution No. 55** by Senator Cooper.  
Memorials, Public Service -- Senator Tommy G. Haun.

**Senate Joint Resolution No. 56** by Senator Miller.  
Memorials, Personal Achievement -- Phi Theta Kappa All-Tennessee Academic Team.

## THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY

**Senate Joint Resolution No. 57** by Senator Miller.  
Memorials, Retirement -- George "Big Daddy" Perkins.

**Senate Joint Resolution No. 58** by Senator Miller.  
Memorials, Recognition -- National Champions, Walnut Valley Music Festival.

**Senate Joint Resolution No. 59** by Senator Miller.  
General Assembly, Studies -- Creates special joint committee to study feasibility of teachers becoming state employees.

### **RESOLUTIONS LYING OVER**

**Senate Resolution No. 2** -- Memorials, Death -- Alberta Francis Smith.

The Speaker announced that he had referred Senate Resolution No. 2 to Committee on Calendar.

**Senate Joint Resolution No. 26** -- Memorials, Personal Achievement -- Christopher James and David Brown, Eaker Award.

The Speaker announced that he had referred Senate Joint Resolution No. 26 to Committee on Calendar.

**Senate Joint Resolution No. 27** -- Memorials, Congress -- Urges passage of federal constitutional amendment to define marriage exclusively as "union of a man and a woman."

The Speaker announced that he had referred Senate Joint Resolution No. 27 to Committee on Finance, Ways and Means.

**Senate Joint Resolution No. 28** -- Memorials, Death -- Lytle "Jug" Landers.

The Speaker announced that he had referred Senate Joint Resolution No. 28 to Committee on Calendar.

**Senate Joint Resolution No. 29** -- Memorials, Personal Achievement -- Brandon Holt, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 29 to Committee on Calendar.

**Senate Joint Resolution No. 30** -- Memorials, Personal Achievement -- Josh Deal, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 30 to Committee on Calendar.

**Senate Joint Resolution No. 34** -- Memorials, Sports -- Montgomery Bell Academy, 2002 TSSAA Division II, AAA football champions.

The Speaker announced that he had referred Senate Joint Resolution No. 34 to Committee on Calendar.

## THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY

### **Senate Joint Resolution No. 35** -- Memorials, Death -- Clyde William McCullough, Jr.

The Speaker announced that he had referred Senate Joint Resolution No. 35 to Committee on Calendar.

**Senate Joint Resolution No. 36** -- Constitutional Amendments -- Requires that vacancies in judgeships of supreme court, appellate courts, circuit and chancery and other inferior courts must be filled in open, competitive elections; prohibits retention elections.

The Speaker announced that he had referred Senate Joint Resolution No. 36 to Committee on Judiciary.

### **Senate Joint Resolution No. 38** -- Memorials, Public Service -- Ed Moore.

The Speaker announced that he had referred Senate Joint Resolution No. 38 to Committee on Calendar.

**Senate Joint Resolution No. 39** -- Memorials, Heroism -- Expresses sorrow at loss of Space Shuttle Columbia and offers condolences to families of crew members.

The Speaker announced that he had referred Senate Joint Resolution No. 39 to Committee on Calendar.

### **Senate Joint Resolution No. 40** -- Memorials, Death -- Gwen Awsumb.

The Speaker announced that he had referred Senate Joint Resolution No. 40 to Committee on Calendar.

**Senate Joint Resolution No. 41** -- Memorials, Professional Achievement -- Harvey Burniston, Jr.

The Speaker announced that he had referred Senate Joint Resolution No. 41 to Committee on Calendar.

### **Senate Joint Resolution No. 42** -- Memorials, Retirement -- James D. Bowman.

The Speaker announced that he had referred Senate Joint Resolution No. 42 to Committee on Calendar.

**Senate Joint Resolution No. 43** -- Memorials, Personal Achievement -- Arthur Byron "Deacon" Bowers.

The Speaker announced that he had referred Senate Joint Resolution No. 43 to Committee on Calendar.

**Senate Joint Resolution No. 44** -- Constitutional Amendments -- Proposes amendment to Article XI, Section 11, of Tennessee Constitution, to authorize General Assembly to establish enhanced homestead exemption for elderly homeowners.

The Speaker announced that he had referred Senate Joint Resolution No. 44 to Committee on Finance, Ways and Means.

**Senate Joint Resolution No. 45** -- Constitutional Amendments -- Alters Article II, Section 28, to require General Assembly to prescribe, by general law, option whereby counties and cities may exempt all or any part of real property taxes owed by elderly homeowners or disabled homeowners with respect to owner-occupied primary places of residence.

The Speaker announced that he had referred Senate Joint Resolution No. 45 to Committee on Finance, Ways and Means.

**REPORT OF TENNESSEE TECHNOLOGY  
DEVELOPMENT CORPORATION**

The Report was received and filed with the Clerk.

**MOTION**

Senator Crowe moved that Rule 38 be suspended for the purpose of placing the following resolutions on a consent calendar for today, February 6, 2003, which motion prevailed: **House Joint Resolutions Nos. 16, 18, 20, 22, 23, 24, 25 and 27; Senate Joint Resolutions Nos. 20, 22, 25, 26, 28, 29, 30, 34, 35, 38, 39, 40, 41, 42 and 43; and Senate Resolution No. 2.**

**CONSENT CALENDAR**

**House Joint Resolution No. 16** -- Memorials, Death -- Dr. Raymond Massengill, Jr.

**House Joint Resolution No. 18** -- Memorials, Personal Achievement -- Matthew Ryan Young, Eagle Scout.

**House Joint Resolution No. 20** -- Memorials, Professional Achievement -- Clyde Smith.

**House Joint Resolution No. 22** -- Memorials, Personal Achievement -- Michael Hodges, Eagle Scout.

**House Joint Resolution No. 23** -- Memorials, Personal Achievement -- Kevin Miller, Eagle Scout.

**House Joint Resolution No. 24** -- Memorials, Death -- Thomas M. Lane.

**House Joint Resolution No. 25** -- Memorials, Professional Achievement -- Bart Walker.

**House Joint Resolution No. 27** -- Memorials, Recognition -- Centennial of Town of Big Sandy.

**Senate Joint Resolution No. 20** -- Memorials, Public Service -- Family & Children's Services of Chattanooga, 125th anniversary.

**Senate Joint Resolution No. 22** -- Memorials, Retirement -- Judge Allen W. Wallace.

**Senate Joint Resolution No. 25** -- Memorials, Death -- J.R. Humphreys.



**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 26** -- Memorials, Personal Achievement -- Christopher James and David Brown, Eaker Award.

**Senate Joint Resolution No. 28** -- Memorials, Death -- Lytle "Jug" Landers.

**Senate Joint Resolution No. 29** -- Memorials, Personal Achievement -- Brandon Holt, Eagle Scout.

**Senate Joint Resolution No. 30** -- Memorials, Personal Achievement -- Josh Deal, Eagle Scout.

**Senate Joint Resolution No. 34** -- Memorials, Sports -- Montgomery Bell Academy, 2002 TSSAA Division II, AAA football champions.

**Senate Joint Resolution No. 35** -- Memorials, Death -- Clyde William McCullough, Jr.

**Senate Joint Resolution No. 38** -- Memorials, Public Service -- Ed Moore.

**Senate Joint Resolution No. 39** -- Memorials, Heroism -- Expresses sorrow at loss of Space Shuttle Columbia and offers condolences to families of crew members.

**Senate Joint Resolution No. 40** -- Memorials, Death -- Gwen Awsumb.

**Senate Joint Resolution No. 41** -- Memorials, Professional Achievement -- Harvey Burniston, Jr.

**Senate Joint Resolution No. 42** -- Memorials, Retirement -- James D. Bowman.

**Senate Joint Resolution No. 43** -- Memorials, Personal Achievement -- Arthur Byron "Deacon" Bowers.

**Senate Resolution No. 2** -- Memorials, Death -- Alberta Francis Smith.

Senator Crowe moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

**ADOPTION OF PERMANENT RULES OF ORDER**

Senator Kyle moved that the Temporary Rules of Order for the Senate of the One Hundred Third General Assembly, as amended, be made the Permanent Rules of Order for the Senate of the One Hundred Third General Assembly.

**REPORT OF THE COMMITTEE ON RULES  
ONE HUNDRED THIRD GENERAL ASSEMBLY**

Mr. Speaker, the Committee on Rules having met, unanimously reports to the Senate the following recommendations for amendments to the Temporary Rules of Order for the Senate for the One Hundred Third General Assembly and the recommendation for adoption of the Amended Temporary Rules of Order for the Senate for the One Hundred Third General Assembly as the Permanent Rules of Order for the Senate for the One Hundred Third General Assembly:

I: Senate Rule 8 be amended as underlined:

**FOOD AND SMOKING IN THE SENATE CHAMBER.** Except for the consumption of light refreshments, food shall be prohibited in the Chamber during Senate session. Smoking is prohibited in the Senate Chamber during Senate session.

*Legislative Intent:* This proposed rule amendment would prohibit smoking in the Senate Chamber during Senate session. It would not prohibit smoking in the Senate Chamber when the Senate is not in session. The Senate is in session when it is duly convened and transacting business on the floor.

II: Senate Rule 21 be amended as stricken:

**RESOLUTIONS.** Resolutions calling joint conventions and creating study committees shall first be referred to the Committee on Delayed Bills. Resolutions referred to the Committee on Delayed Bills shall require the unanimous approval of the Committee. Congratulatory and memorializing resolutions shall be referred to the Calendar Committee. All other resolutions shall be referred to the appropriate standing committee for consideration.

Any resolution proposing an amendment to the Constitution pursuant to Article XI, Section 3 shall be read verbatim ~~and put to a vote three times~~ on three several days and shall be passed if it receives a constitutional majority on the third vote. Any amendments to such resolution shall be considered in a like manner. No motion of substitution for a Senate Resolution shall be authorized.

*Legislative Intent:* The amended rule requires the Clerk to read proposed constitutional amendments three times but eliminates the requirement that the proposed constitutional amendments be voted on each time the proposal is read. The first two votes under the current rule are "meaningless". As amended, the rule mirrors the constitutional requirements for adopting a proposed constitutional amendment.

III: Senate Rule 28 be amended as stricken and underlined:

**FORM OF BILLS.** Every bill or resolution introduced shall meet the requirements for introduction established by the Clerk. Each bill or resolution shall be enclosed in a manuscript cover and shall bear the signature of the sponsor or sponsors on said cover and said cover shall also contain a succinct statement of the purpose or nature of said bill or resolution. When a member introduces a bill or resolution, the Clerk shall immediately give the same a Senate Number. No bill shall be introduced in blank.

Each bill shall contain an effective date clause which reads "This act shall take effect on (Date) \_\_\_\_\_, the public welfare requiring it." The Chief Clerk of the Senate shall not transmit any bill from the Senate unless such effective date clause requirements are met.

Any bill certified by its sponsor to be a caption bill or which is deemed so by the Speaker, shall receive first and second consideration and then shall be held on the Clerk's desk pending the filing of an amendment in proper form. On or before the seventh calendar day next following the tenth (10th) legislative day, the Speaker shall refer the bill to the proper committee upon filing of a substantive amendment, or certification by the sponsor that the bill is not a caption bill. After the seventh calendar day next following the tenth (10th) legislative day, caption bills shall be held remaining on the Clerk's desk for the remainder of the annual session except upon unanimous consent of the Committee on Delayed Bills or upon motion approved by two thirds (2/3) vote of the members present and registered on the roll call system. ~~shall be withdrawn from the Senate, unless objections are filed with the Clerk, and on motion, approved by a majority of the membership of the Senate.~~

*Legislative Intent:* As currently written, if a Senator files a caption bill on the tenth (10th) legislative day, they cannot file an amendment to lift it off the desk without the bill being referred to the Delayed Bills Committee. This proposed rule amendment would allow a Senator to file a substantive amendment to a caption bill during the week following the tenth (10th) legislative day. Additionally, caption bills remaining on the Clerk's desk a week after the tenth (10th) legislative day would be withdrawn from the Senate unless objections to the caption designation are filed and approved by a majority of the Senate. Under this proposed rule amendment, Senators would still be allowed to file late bills and go through the Delayed Bills Committee.

IV: Senate Rule 31 be amended as underlined:

**FISCAL MEASURES.** Any bill or resolution having a fiscal effect of \$100,000 or more upon receipts or expenditures of the state or local governments shall be referred to the Finance, Ways and Means Committee after consideration by the appropriate standing committee.

No bill or resolution having such a fiscal effect shall be put upon final passage until the same has been considered by the Finance, Ways and Means Committee.

A bill or resolution which is amended by the Senate, or House of Representatives, so as to increase the fiscal effect of the bill or resolution by \$100,000 or more, shall be referred to the Finance, Ways and Means Committee after all filed amendments have been considered by the Senate. Provided, however, this paragraph shall not apply to the General Appropriations Bill.

A bill or resolution which is recommended by a standing committee to be amended in such manner so as to reduce its fiscal effect below \$100,000, may be referred directly to the Calendar Committee. In the event the amendment is not approved by the Senate, paragraph 2 shall apply.

*Legislative Intent:* Under the current rule, no bill or resolution that has a fiscal effect of over \$100,000 may pass on third consideration without being considered by the Committee on Finance, Ways and Means. Last year, a House bill costing more than \$100,000 was conformed and substituted for a Senate bill costing less than \$100,000, once this was done the House bill was not sent back to the Committee on Finance, Ways & Means. This

*proposed rule amendment would require Senate, or House, bills with a net fiscal effect of \$100,000 to be considered by the Committee on Finance, Ways and Means before they pass on third and final consideration.*

V: A new rule be adopted as underlined:

**PROPOSED CONSTITUTIONAL AMENDMENTS.** If the Speaker determines that legislation relates to the amendment of the Constitution of the State of Tennessee as an incidental part of such legislation, and the principal topic matter of such legislation, as described by this Rule, should be considered by another standing committee, then such legislation shall first be referred to the Committee on Judiciary for its evaluation and recommendation to the appropriate standing committee. The Committee on Judiciary shall act within thirty (30) calendar days of the referral in evaluating said legislation and shall only review the measure regarding procedural matters.

Legislative Intent: *This proposed rule would clarify committee referrals of proposed constitutional amendments. Currently, the rules do not address this issue.*

/s/ Senator Jim Kyle  
Chairman, Committee on Rules  
February 5, 2003

Senator Kyle moved that the Temporary Rules of Order for the Senate of the One Hundred Third General Assembly, as amended, be made the Permanent Rules of Order for the Senate of the One Hundred Third General Assembly, which motion prevailed by the following vote:

Ayes .....	29
Noes .....	0
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--29.

Senator present and not voting was: Haynes--1.

A motion to reconsider was tabled.

#### MOTION

Senator Crutchfield moved that the Proposed Schedule for the week of February 10, 2003, be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--28.

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**TENNESSEE STATE SENATE  
103rd GENERAL ASSEMBLY**

**PROPOSED SCHEDULE  
FOR THE WEEK OF FEBRUARY 10, 2003**

**MONDAY – February 10**

5:00 p.m. Session – Senate Chamber

**TUESDAY – February 11**

8:30 a.m. – 10:30 a.m.	Finance, Ways & Means Committee
10:30 a.m. – 12:30 p.m.	State & Local Government Committee
12:30 p.m. – 1:30 p.m.	Lunch
1:30 p.m. – 3:30 p.m.	Commerce, Labor & Agriculture Committee
3:30 p.m. – 5:30 p.m.	Judiciary Committee

**WEDNESDAY – February 12**

8:30 a.m. – 9:30 a.m.	Education Committee
9:30 a.m. – 10:30 a.m.	General Welfare, Health & Human Resources
10:30 a.m. – 11:30 a.m.	Environment, Conservation & Tourism Committee
12:00 p.m. – 12:30 p.m.	Lunch
12:30 p.m. – 1:30 p.m.	Transportation Committee (Will not meet)
1:30 p.m. – 2:55 p.m.	Government Operations Committee
3:00 p.m.	Session – Senate Chamber

**THURSDAY – February 13**

9:00 a.m. Session – Senate Chamber

**OTHER MEETINGS:**

Tennessee Advisory Commission on Intergovernmental Relations  
Monday, February 10, 2003 – 11:00 a.m. – Room 29 LP

Predatory Lending Study Committee

Monday, February 10, 2003 – 1:30 p.m. to 4:00 p.m. – Room 12/14 LP

**NOTES:**

Pursuant to Senate Rule 25, cut-off date for the unlimited filing of all general bills –  
Close of business February 13, 2003

Pursuant to Senate Rule 27, cut-off date for nine bill limit –  
Close of business February 24, 2003

**MOTION**

Senator McCleary moved that the rules be suspended for the immediate consideration of  
**Senate Bill No. 24**, out of order, which motion prevailed.

**Senate Bill No. 24** -- Bradford -- Subject to local approval, changes date of general city election from first Saturday in May in odd-numbered years to first Tuesday after first Monday in November of even-numbered years. Amends Chapter 38 of the Private Acts of 1985.

On motion of Senator McCleary, the rules were suspended for the immediate consideration of the bill.

**Senate Bill No. 24** passed its third and final consideration by the following vote:

Ayes .....	25
Noes .....	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Ramsey, Southerland, Trail, Walker and Williams--25.

A motion to reconsider was tabled.

#### MOTION

On motion of Senator Beavers and Walker, their names were added as sponsors of **House Joint Resolutions Nos. 22 and 23**.

On motion of Senator Cooper, his name was added as sponsor of **House Joint Resolution No. 20; and Senate Joint Resolutions Nos. 28, 29, 30, 31, 32, 33, 34 and 35**.

On motion of Senators Crutchfield, Cooper and Miller, their names were added as sponsors of **Senate Bill No. 1**.

On motion, all Senators' names were added as sponsors of **Senate Joint Resolutions Nos. 28, 34, 35 and 39**.

On motion of Senators Crowe and Ramsey, their names were added as sponsors of **House Joint Resolution No. 16**.

On motion of Senator Trail, his name was added as sponsor of **House Joint Resolutions Nos. 24 and 25**.

On motion of Senator Crutchfield, his name was added as sponsor of **Senate Joint Resolution No. 20**.

On motion of Senators Haynes, Crutchfield and Walker, their names were added as sponsors of **Senate Joint Resolution No. 22**.

On motion of Senators Henry and Walker, their names were added as sponsors of **Senate Joint Resolution No. 24**.

#### RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 7** was recalled from the Committee on State and Local Government.

**WITHDRAWAL OF BILL**

On motion of Senator Cooper, Senate Bill No. 7 was withdrawn from the Senate.

**MESSAGE FROM THE HOUSE**

February 6, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 29, 30, 31, 33 and 34; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**ENGROSSED BILLS**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 20, 22, 25, 26, 28, 29, 30, 34, 35, 38, 39, 40, 41, 42 and 43; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 24, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 24, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

February 6, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 24 and 46, concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**ENROLLED BILLS**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolution No. 2, and find same correctly enrolled and ready for the signature of the Speaker.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 24 and 46, and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

February 6, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 17 and 21, for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 6, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 16, 18, 20, 22, 23, 24, 25 and 27; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**SIGNED**

February 6, 2003

The Speaker announced that he had signed the following: Senate Resolution No. 2; and House Joint Resolutions Nos. 17 and 21.

**SIGNED**

February 6, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 16, 18, 20, 22, 23, 24, 25 and 27.



**SIGNED**

February 6, 2003

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 24 and 46.

**MESSAGE FROM THE HOUSE**

February 6, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 24 and 46, signed by the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

February 6, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 24 and 46, for his action.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

February 4, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 13, with his approval.

ROBERT E. COOPER, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

February 5, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 32, with his approval.

ROBERT E. COOPER, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

February 5, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 14, 21 and 31; with his approval.

ROBERT E. COOPER, JR.,  
Counsel to the Governor.

**THURSDAY, FEBRUARY 6, 2003 -- 4TH LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 10, 2003: House Joint Resolutions Nos. 29, 30, 31, 33 and 34; and Senate Joint Resolutions Nos. 47, 48, 49, 51, 54, 55, 56, 57 and 58.

This the 6th day of February, 2003.  
CROWE, Chairperson.

**ADJOURNMENT**

Senator Crutchfield moved the Senate adjourn until 5:00 p.m., Monday, February 10, 2003, which motion prevailed.